

**Remarks by Senator Kent Conrad (D-ND) at Press Conference
on Senate Passage of Amended Spending Reconciliation Bill
December 21, 2005**

Opening Statement

Let me just review what has just occurred, at least from our perspective. You saw a tie vote that had to be broken by the Vice President of the United States on the budget bill. The reason it was a close vote, the reason five Republicans joined all Democrats is because this budget does not represent the priorities of the American people.

Here we are just days before Christmas and they are offering a series of measures that take from the least among us to give to those who have the most among us. That is not the priorities of the American people. And it is not right. It is not right to say to those who have the very least among us we're going to take from you so that we can give additional tax cuts to those who are the very wealthiest among us. And that's what these budgets do.

Reconciliation has three chapters. You have to read all three chapters to understand the message of the book. Understand the first chapter is to cut spending \$40 billion, much of it directed at those who have the least among us, some of them who have just gone through the disasters of Katrina and Rita. The second chapter of the book is tax cuts of \$70 billion. You can see the combined effect is not to reduce the deficit. The combined package increases the deficit, increases the debt. That is what is so ironic. They are out here claiming they are reducing the deficit, but when you put the whole package together they're not reducing the deficit, they're increasing it. And, they're increasing it at the worst possible time right before the baby boomers start to retire.

Let me just show what happens as a result of their overall plan. The five year budget that we are now reaching conclusion on – actually is implemented – this is what happens to the debt of the United States. Do you see any reduction here in deficits and growth of debt? Do you see any reduction there? There is no reduction because their own estimates show they are going to increase the debt of the country by more than \$600 billion each and every year of this five-year budget agreement. That is a dramatic and dreadful mistake.

Now, with respect to the point of order, we prevailed on the point of order. On the point of order I registered just four places where they have violated the rules in this agreement. I could have had more than a dozen violations of the rules in this agreement. I chose to select only four because otherwise we would have been voting all day on budget points of order. We were able to prevail. Three Republicans joined Democrats and were able to sustain the points of order. The Parliamentarian agreed with three of the four points that I made in the first point of order.

I know our colleagues have said these are just technical. Well, some of them are technical. That's what the rules are. The rules are technical. But there are things here that matter a lot in the substance. They matter a lot to people who are the least fortunate among us.

For example, one of the provisions they had that has now been knocked out allows

hospitals to deny treatment to low income individuals who can't pay. So, when these low income individuals go to a hospital emergency room – I know the other side is saying it is just a technicality of what they are asked. Yeh, what they're asked is, "Can you pay?" If the answer is no, they're told to go home.

Is that really what we should be doing in this country? Does that really represent the American spirit just days before Christmas? The sick parent, or a parent bringing a sick child to the emergency room, doesn't have the money to pay and so they're told to go home. I don't think that represents the American spirit, and it shouldn't have been in this budget provision. And the only reason it is there is to accommodate the tax cuts that disproportionately go to the wealthiest among us which will follow in January.

So now what happens is this bill has to go back to the House, and they're going to have to correct these provisions. They can have either the whole house come back later this week, or they will have to wait until sometime in January when the House does come back. Why? Because they violated the rules. They broke the rules. Now, the point of order just covered three of the places where they broke the rules, but there are many, many more as I have indicated – I could have had dozens of points of order against this bill.

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I would just like to make one final point, then we'd be happy to take your questions. As I indicated, there are three chapters to this reconciliation book. You have to read all three chapters before you can reach conclusion on what the book means. The first chapter cuts \$40 billion of spending over five years. The second chapter cuts taxes \$70 billion over the same period. So the combined effect of chapters one and two is to increase the deficit, not reduce it. The third chapter is really the chapter our Republican friends don't want the American people to read. The third chapter of this book increases the debt of our country in one fell swoop by \$781 billion, one of the biggest increases in debt in the history of America. That is the package they have before our country. It's the wrong priorities. It does not represent the values of the American people.

Questions and Answers

Question: I wanted to ask you about your understanding of the Chair's ruling. I hate to get so technical. But is it your understanding that you were successful because several of the points, several of the provisions, had incidental spending to the policy? Is that the reason for that? And the second part to my question is – you raised the possibility that you have other points of order that you could have brought against this. Is there any reason to think that you might not do that the next time this conference report comes back to the Senate floor?

Conrad Answer:

I reserve my rights in the future. I have told the other side – and I've said publicly before – I had many more points of order. This agreement, this budget bill, is loaded with violations of the rules. That's just the fact. We chose just to bring four of the matters before the body. The

parliamentarian sided with me on three of the four. The only one he did not agree with me on was one that I think is clear as well. That is the foster care provision that would prohibit grandparents from receiving foster care payments.

In this budget, the conference report includes a provision to overturn a 9th Circuit Court case that allowed grandparents with limited resources to receive foster care payments when parenting vulnerable children. We know that placing kids with their grandparents is the most stable environment. And when they are of low income, the clerk ruled they would be eligible for foster care payments. In this budget agreement, they say no, grandparents can't get any foster care payments when caring for their grandchildren. Is that really the right policy for the country? I don't think so. That's why I sought to strip it.

Question: The Republicans were saying that by prevailing on your point of order, this means that Katrina victims aren't going to be getting money, that students won't be able to get loans, that doctors won't see patients because they're not going to get paid. Can you just respond to that?

Conrad Answer:

Shame on them. Shame on them. They came here with an agreement concocted in the middle of the night, passed in the House of Representatives at the crack of dawn – a measure replete with violations of the rules. And they criticize us? No. This is an institution that has rules, that has standards, and they have violated them over and over and over. It was our obligation to bring these points of order, to require them to operate by the rules.

They have written a budget here that cannot stand scrutiny. What they want to do is to hide from the American people their work. That's why they concocted this in the dead of night with no minority members present. That's why they passed this at the crack of dawn, because they wanted to avoid public scrutiny.

Question: I want to make sure I understand on the Medicaid budget point of order, was it that hospitals – because hospitals wanted to turn you away because you couldn't pay, or was it the liability, because they could be sued if they turned you away? Which one is this about?

Conrad Answer:

Yes. What happens is, if poor people go to the hospital and they cannot pay, then the hospital is shielded from liability if they turn those people away without providing them care. I'll tell you, is that really what we stand for in America? Is that an American value? Is it a family value to say that grandparents who care for foster kids don't qualify for assistance? Is that a family value?

I'll tell you, I don't know of any religion practicing in America today that preaches from the pulpit that what one should do is take from the least among us to give to those who have the

most.

That's what this budget is about. And the incredible irony is, even though they do that, they do nothing about the exploding debt, because, as I've indicated, their own estimates show this will increase the debt of our country by over \$600 billion a year, each and every year of the five years of this agreement. It's so profoundly wrong.

Question: You could strip the liability portion because it has no budgetary impact? That's why it was sustained?

Conrad Answer:

Correct.

Question: What were the other two points of order that were sustained? And then what were some other points of order that you might have raised?

Conrad Answer:

They involved reports that are in the jurisdiction of the Finance Committee that Finance Committee members thought were completely inappropriate to put in this kind of an agreement. And, in fact, it violates the rules to put them there. Completely extraneous, they have nothing to do with the budget provisions.

Question: Which topics?

Conrad Answer:

I will get you the specific topics. We'll provide you. Those are technical matters.

As I indicated, I also provided a point of order on this foster care question. The parliamentarian did not uphold that rule, that point of order. There are literally 12, 15 points of order that I could have called – violations of the rules – on a wide variety of subjects. There are a number of others. They've put a whole welfare reform provision into this bill that is going to cost the states money, that is going to impose costs on states. It was not clear to us at the end whether the parliamentarian would have upheld that. That would have been my next point of order. And I agreed not to go forward with that point of order simply in the interest of time.

As you know, we have a lot of business to transact today so – because we'd already prevailed on the initial point of order. But we could have been here literally all day voting on points of order. There are that many violations of the rules here.

Question: On welfare, was that regarding the work requirement that 50 percent work?

Conrad Answer:

Well, they have had very significant changes in the TANF provisions, including that.

Question: One of the issues that was brought up by Senator Gregg is the potential lapsing of the TANF authorization. Now, would you be urging Senate leaders to do it? Is it a temporary extension of that authorization? And is that done before you guys leave town so that nobody gets – doesn't get a check?

Conrad Answer:

Yes, I would precisely urge them to do that. But, look, the best way to deal with this is for the House to come back and do their business. The House tried to, in a very haphazard way, slapdash this package together. That's one reason there are so many violations of rules in here, because they did this in the middle of the night with no minority members present. Then they voted on it at the crack of dawn and left town.

Now, they can either come back to town and do their work and do it right and do it according to the rules, or it will have to wait until sometime later. I believe they ought to come back here and finish the job that they were elected to do.

Question: Do you expect that the House will now take this up and pass it after you send it back to them, that way it wouldn't come back to the Senate?

Conrad Answer:

That could well happen. And that, of course, could happen without the whole House coming back if they were able to reach agreement on the House side. In other words, there are three ways to deal with this, aren't there, if you think about it? Number one, by unanimous agreement, the House could pass what we've now sent them, with these corrections having been made. That's one possibility. Second possibility is they bring back the House of Representatives and complete their work, and do it the right way instead of this slapdash, haphazard, rules-violating way that they chose to do. That's a second possibility. The third possibility is they could wait until January.

Thank you.